

FILED

AUG 22 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MELVIN B. VAUGHN,
Petitioner,

v.

RICK HILL, Warden,
Respondent.

No. C 14-02231 BLF (PR)

ORDER OF DISMISSAL

On May 14, 2014, Petitioner, a state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day, the Clerk sent Petitioner a notice that he must either pay the filing fee or file an *In Forma Pauperis* ("IFP") Application. (Docket No. 2.) On June 5, 2014, Petitioner filed an IFP application. (Docket No. 4.) On July 17, 2014, the Court denied Petitioner's IFP application for failure to show an adequate level of poverty, and directed him to pay the \$5.00 filing fee within twenty-eight days. (Docket No. 8.)

The deadline has since passed, and Petitioner has failed to pay the filing fee. Accordingly, Petitioner's case is DISMISSED without prejudice for failure to pay the filing fee.

The Clerk shall terminate any pending motions and close the file.

IT IS SO ORDERED.

DATED: Aug 22, 2014


BETH LABSON FREEMAN
United States District Judge